



Agenda Item Number: 10-17-13.7

**SANDOVAL COUNTY
BOARD OF COUNTY COMMISSIONERS**

Date of Commission

Meeting: October 17, 2013

Division / Elected

Office: Finance

Staff Contact:

Cassandra Herrera, Director
Liz Otten, Chief Procurement Officer

Title of Item:

Resolution to Repeal and Replace the General Financial Management Policies and Procedures for Sandoval County

Action Requested:

Motion to Adopt Resolution No. 10-17-13.7 Repealing and Replacing the General Financial Management Policies and Procedures for Sandoval County

Summary:

The General Financial Management Policies and Procedures regarding purchasing for Sandoval County was originally adopted on March 7, 2002. Amendments were made to the original document and adopted on June 5, 2008. The purpose of this Resolution is to repeal and replace the previously adopted policies and procedures regarding specific requirements of the New Mexico Procurement Code, Sections 12-1-28 through 13-1-199 NMSA 1978. The purpose of this Resolution is also to set purchasing threshold limits and procurement requirements in accordance with amended purchasing threshold limits and procurement requirements of the Procurement Code enacted by the State Legislature on July 1, 2013.

Attachments:

- Resolution No. 10-17-13.7
- Proposed Policies and Procedures
- Summary of Changes – Existing Policies and Procedures

FISCAL IMPACT

None



Agenda Item Number: 10-17-13.7

STAFF ANALYSIS SUMMARY

County Manager:

Recommend Board of County Commission approval. PPR 10/10/2013

**Initiating Elected Official /
Division Director:**

Recommending approval of General Financial Management Policies and Procedures. Purchasing thresholds have been amended and financial policies have been clarified as allowed under the NM Procurement Code. CCH 10/10/13

Legal:

Approved as to form. PFT 10/10/13

Finance:

No Financial Impact.



SANDOVAL COUNTY

Resolution No. 10-17-13.7

A Resolution Repealing and Replacing the General Financial Management Policies and Procedures for Sandoval County originally adopted March 7, 2002 and amended June 5, 2008

WHEREAS, the purpose of this Resolution is to repeal and replace the previously adopted policies and procedures regarding specific requirements of the State Procurement Code; and

WHEREAS, the New Mexico Procurement Code, NMSA 1978, Sections 13-1-28 through 13-1-199 (1979) (as amended)(hereinafter referred to as "the Code") permits a unit of local government to conduct public purchasing pursuant to the Code through a central purchasing office, and to adopt rules and regulations that govern procurement *by the local government*; and

WHEREAS, the purpose of the Code is to provide for the fair and equitable treatment of all persons involved in public procurement, to maximize the purchasing value of public funds and to provide safeguards for maintaining a procurement system of quality and integrity; and

WHEREAS, the County Commission may adopt regulations through resolution or ordinance to effect the powers and duties granted the County by State Law; and

WHEREAS, the County wishes to set purchasing threshold limits and procurement requirements in accordance with amended purchasing threshold limits and procurement requirements of the Code enacted July 1, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Sandoval County Board of County Commissioners hereby approves the attached General Financial Management Policies and Procedures.

BE IT FURTHER RESOLVED, that the previous version(s) of the Sandoval County General Financial Management Policies and Procedures are hereby repealed.

APPROVED AND ADOPTED by the Sandoval County Board of Commissioners at the regular meeting held on the 17th day of October 2013.

SANDOVAL COUNTY COMMISSION

Darryl F. Madalena, Chair

Nora Scherzinger, Vice Chair

Orlando Lucero, Member

Don Chapman, Member

Glenn Walters, Member

ATTEST:

Eileen Garbagni, County Clerk

APPROVED TO AS FORM:

Patrick Trujillo, County Attorney

**GENERAL FINANCIAL MANAGEMENT POLICIES AND PROCEDURES
FOR
SANDOVAL COUNTY**

1	GENERAL	2
2	BUDGETS.....	4
3	PURCHASING, GENERAL.....	4
4	PURCHASES OF GOODS, NON-PROFESSIONAL SERVICES, AND CONSTRUCTION SERVICES	6
5	PROFESSIONAL SERVICES (EXCLUDING ARCHITECT, ENGINEER, LANDSCAPE ARCHITECT, AND SURVEYING SERVICES – REFER TO SECTION 6 FOR DESIGN PROFESSIONAL SERVICES)	7
6	ARCHITECT, ENGINEERING, LANDSCAPE ARCHITECT, AND SURVEYING PROFESSIONAL SERVICES.....	7
7	REQUESTS FOR BID (RFB).....	8
8	REQUESTS FOR PROPOSALS (RFP)	9
9	EXEMPT PROCUREMENTS.....	10
10	SOLE SOURCE PROCUREMENTS.....	13
11	EMERGENCY PROCUREMENTS	14
12	PROCUREMENT UNDER EXISTING CONTRACTS AND “PIGGYBACKING”	14
13	INSURANCE REQUIREMENTS	15
14	PURCHASE OF VEHICLES: PROCESS.....	15
15	DISPOSITION OF PROPERTY	16
16	REGULATIONS GOVERNING TRAVEL, PER DIEM, AND MILEAGE	18
17	LIST OF ATTACHED FORMS AND APPENDIX.....	21

1 GENERAL

1.1 Overview

To assist County Departments, and the various agencies it serves, in understanding the functions and the responsibilities of the Administrative/Finance Services Division, we have prepared this Policies and Procedures Manual governing purchasing.

The functions of the Finance Department are:

- to review and monitor all Department budgets
- account for and oversee the disbursement of public monies
- maintain records and prepare reports to assure compliance with the Procurement Code
- and to conform with generally accepted accounting principles

Procurement Officer: Pursuant to the Procurement Code, a "Chief Procurement Officer" refers to a person within a state agency's or local public body's central purchasing office responsible for the control of the procurement of items of tangible personal property, services or construction. Sandoval County has designated a Procurement Officer within the Finance Department.

Purchasing Designee: Each Sandoval County Department or Division must select **one** employee as the point of contact for issues related to procurement and purchasing. This employee will attend training sessions as needed and will be responsible for purchasing and procurement duties on behalf of his/her department or division. Community Services may select designees from each program if necessary.

1.2 PROCUREMENT VIOLATIONS

1.2.1 Criminal Penalty:

Willful violation of Procurement Code will be treated as a misdemeanor for a transaction less than \$50,000 and a fourth (4th) degree felony if the transaction is greater than \$50,000.

1.2.2 Civil Penalty:

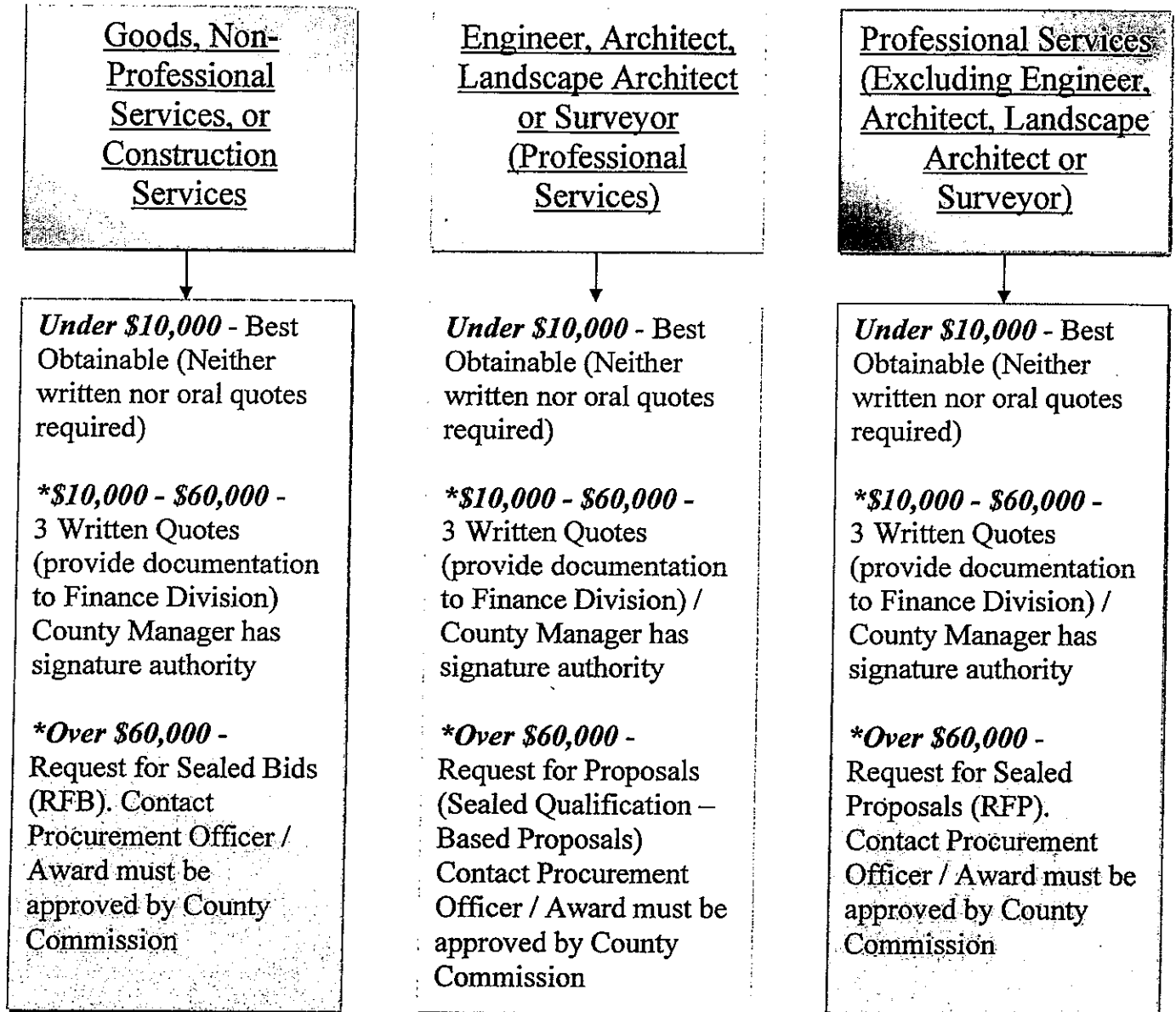
Any person, firm or corporation that knowingly violates any provision of the Procurement Code [13-1-28 NMSA 1978] is subject to a civil penalty of not more than one thousand dollars (\$ 1,000) for each procurement in violation of any provision of the Procurement Code. The attorney general or the district attorney in the jurisdiction in which the violation occurs is empowered to bring a civil action for the enforcement of any provision of the Procurement Code. Any penalty collected under the provisions of this section shall be credited to the general fund of the political subdivision in which the violation occurred and on whose behalf the suit was brought.

1.3 PURCHASING FLOWCHART

See page 3

PURCHASING FLOWCHART

Specifications or Scope of Work are developed by department responsible for making the purchase



***Contact the Procurement Officer at the onset of these purchases.**

Other possible purchases:

Emergency Procurement, Sole Source Procurement, extension of terms and conditions to utilize Existing Contracts, or "Piggybacking." Contact the Procurement Officer for more information regarding the procurement process and requirements for these purchases.

2 BUDGETS

2.1 BUDGET DEVELOPMENT PROCESS AND REVIEW

The process and preparation of annual budgets begins in early March. The budget development process and review is broken down into six basic stages. Individual departments formulate their requested annual projected needs.

- Proposed budgets are submitted to the Finance Division for compilation.
- At a scheduled budget meeting, elected officials and division directors will present budget proposals to the County Manager.
- At a scheduled Commission meeting, the Commissioners review preliminary budgets and take action on the preliminary budgets.
- At a scheduled Commission meeting, the Commissioners take final action on the final budget.
- The budget is sent to the New Mexico Department of Finance & Administration (DFA) for final approval.

2.2 ANNUAL APPROPRIATIONS

Budget decisions and annual appropriations are based on the amount of projected revenues. A cash balance of 3/12ths, after budgeted expenditures in the General Fund, and 1/12th in the Road Fund (or as amended by law), are required by the New Mexico State Department of Finance and Administration in order to help maintain reserves for operations from fiscal year to fiscal year.

2.3 BUDGET REVISIONS AND MODIFICATIONS

Budget revisions/modifications must be submitted in writing to the Finance Director. A budget resolution will be drafted and placed on the consent agenda and require both the County Commissioner's and the State Department of Finance and Administration's authorization, which generally takes two weeks after a regular Commission meeting to finalize and record. Budget adjustments should be planned in advance.

2.4 GENERAL FUND AND INTER-DEPARTMENT TRANSFERS

General fund and inter-department transfers are processed on a weekly basis by the Finance Director. Please note: under the General Fund, budget adjustments transferring out Salaries and Benefits into Operations **will not** be approved. Requests to purchase from line items with insufficient funds prior to the authorization of the adjustment will not be approved. Funds not expensed at the end of each fiscal year will revert back to the General Fund as carryover and allocated to cover Capital Outlay demands.

3 PURCHASING, GENERAL

3.1 OVERVIEW

The Sandoval County Commission, pursuant to the New Mexico Procurement Code (13-1-28 to 13-1-199 NMSA 1978 As Amended) hereinafter referred to as the ("Procurement Code") hereby adopts the following Purchasing Procedures pertaining to small purchases and related matters. Any issue relating to procurement, which is not covered below will follow the Procurement Code as prescribed by law. Common purchases require either written quotes, utilizing existing contracts, or public solicitation for bids or proposals (RFBs or RFPs).

Under rare circumstances, Emergency Procurement or Sole Source Procurement may be necessary. Before initiating any of these purchases, contact the Procurement Officer.

3.2 PURCHASING PROCEDURES

The process for purchasing begins with the completion of an electronic requisition form by the department responsible for making the purchase. After review and approval by the authorized designees, a Purchase Order is generated for the purchase. The Finance Department may reject purchase orders when there are insufficient funds within the specified line item and/or when purchases are requested from non-applicable or inappropriate line items. Purchases requiring written quotes or the formal procurement process (Request for Bids or Request for Proposals) will require the involvement of the Procurement Officer. Please refer to the Purchasing Flowchart for more information.

Purchases or services which are identified in the annual budget approved by the County Commission do not require further Commission authorization prior to advertising or obtaining offers for service.

3.3 INVOICES

The schedule for submitting invoices for payment will be Wednesday 12:00 PM, in accordance to the Accounts Payable calendar (available by request from Finance Division or on the Sandoval County employee Intranet).

3.4 COUNTY MANAGER SIGNATURE AUTHORITY

The Sandoval County Manager has the authority to approve procurement related activities with applicable signature authority thresholds as follows:

- 3.4.1 Approval of any County purchase, agreement or contract for goods or services identified within reasonable specificity in any approved fiscal year operating budget of the County.
- 3.4.2 Approval of all general County purchases, agreements and Professional Services contracts up to \$60,000 and all Engineer, Architect, Landscape Architect or Surveyor Services up to \$60,000.
- 3.4.3 Change orders on public works contracts which do not exceed the budgeted amount, including contingencies, may be approved by the County Manager or County Manager designee.

3.5 PURCHASE ORDERS

Purchase Orders are required for all purchases. Any purchases made without a *County Issued Purchase Order* will not be paid and the department will be responsible for returning the product or covering the expense *unless* the purchase is qualified as an Emergency Purchase and proper documentation and justification has been provided (contact Finance Division for specific items exempt from this requirement).

The routing process for payment of completed purchases is as follows:

- Department will submit original invoices with written authorization and a completed coversheet to process payment.
- Finance will compare invoice to the authorized Purchase Order to insure compliance with the procurement policy and process payment in accordance to the Accounts Payable calendar (available by request from Finance Division or on the Sandoval County employee Intranet).
- Finance retains approved check listings for annual audits.

4 PURCHASES OF GOODS, NON-PROFESSIONAL SERVICES, AND CONSTRUCTION SERVICES

4.1 OVERVIEW

This section applies to all procurement of Goods, Non-Professional Services, and Construction Services. Refer to Appendix A for a list of examples.

4.2 GOODS, NON-PROFESSIONAL SERVICES, AND CONSTRUCTION SERVICES UNDER \$10,000

All purchases of Goods, Non-Professional Services and Construction Services under \$10,000.00 will be made at the best obtainable price and the Department designee requesting the purchase will certify in writing to this effect. Neither written nor oral bids are required for purchases under \$10,000.00.

4.3 GOODS, NON-PROFESSIONAL SERVICES, AND CONSTRUCTION SERVICES BETWEEN \$10,000 AND \$60,000

All purchases of Goods, Non-Professional Services, and Construction Services between \$10,000.00 and \$60,000.00 will be made at the best obtainable price after having first obtained **three written quotes**. Documentation of the written quotes **must** be submitted to the Finance Division prior to approval of a Purchase Order. A copy of the written quotes will be kept on file in the department initiating the purchase, with the requisition form and any other documentation necessary for auditing purposes.

In the event that a Department has sought written quotes for a purchase between \$10,000.00 and \$60,000.00, and two of the three quotes were more than \$60,000.00, the purchase will be made pursuant to competitive sealed bids and will be published in a newspaper of general circulation in accordance with the Procurement Code.

The low quote will be considered the best obtainable price, unless exceptional circumstances exist. Factors which may be considered in this regard include: (1) time of day of purchase; (2) travel time required to pick up the goods; (3) the willingness of the vendor to deliver to the work place; and (4) the quality of goods and services provided. The department designee requesting the purchase will certify in writing the specific reasons for not accepting the low quote when applicable.

Procurement requirements shall not be artificially divided so as to circumvent the small purchase regulations.

- 4.4 GOODS, NON-PROFESSIONAL SERVICES, AND CONSTRUCTION SERVICES OVER \$60,000**
Purchases of tangible items and services \$60,000.00 or more must be by sealed bid or sealed, qualification-based, competitive proposal and conducted pursuant to the Procurement Code. These purchases require the involvement of the Procurement Officer.
- 4.5 PROCUREMENT DISCLOSURE AND AWARD**
The contents of any sealed competitive proposal shall not be disclosed so as to be available to competing offerors during the negotiation process and prior to award.
- 5 PROFESSIONAL SERVICES (EXCLUDING ARCHITECT, ENGINEER, LANDSCAPE ARCHITECT, AND SURVEYING SERVICES – REFER TO SECTION 6 FOR DESIGN PROFESSIONAL SERVICES)**
- 5.1 OVERVIEW**
This section applies to all procurement of Professional Services excluding the procurement of Architectural, Engineering, Landscape Architectural, or Surveying Professional Services. Refer to Appendix A for a list of examples.
- 5.2 PROFESSIONAL SERVICES BETWEEN \$10,000 AND \$60,000**
Procurement of Professional Services between \$10,000 and \$60,000.00 will be made at the best obtainable price after having first obtained **three written quotes**.
- The negotiated contract shall then be approved by the County Attorney, and then submitted to the County Manager for final approval.
- Documentation of the written quotes **must** be submitted to the Finance Division prior to approval of a Purchase Order. A copy of the written quotes will be kept on file in the department with the requisition form and any other documentation necessary for auditing purposes.
- 5.3 PROFESSIONAL SERVICES OVER \$60,000**
All Professional Services over \$60,000.00 shall be procured by competitive sealed proposals. These procurements require the involvement of the Procurement Officer.
- 6 ARCHITECT, ENGINEERING, LANDSCAPE ARCHITECT, AND SURVEYING PROFESSIONAL SERVICES**
- 6.1 OVERVIEW**
This section **only** applies to the procurement of Professional Services of Architect, Engineer, Landscape Architect, and Surveyor Services pursuant to Sections 13-1-120 through 13-1-124 NMSA 1978.

**6.2 ARCHITECT, ENGINEERING, LANDSCAPE ARCHITECT, AND SURVEYING
PROFESSIONAL SERVICES BETWEEN \$10,000 AND \$60,000**

Services of Architects, Engineers, Landscape Architects and Surveyors between \$10,000 and \$60,000 may be procured by obtaining **3 written quotes**.

The negotiated contract shall then be approved by the County Attorney, and then submitted to the County Manager for final approval.

Documentation of the written quotes **must** be submitted to the Finance Division prior to approval for payment. A copy of the written quotes will be kept on file in the department with the requisition form and any other documentation necessary for auditing purposes.

**6.3 ARCHITECT, ENGINEERING, LANDSCAPE ARCHITECT, AND SURVEYING
PROFESSIONAL SERVICES OVER \$60,000**

All Professional Services for Architect, Engineering, Landscape Architect, and Surveying over \$60,000 shall be procured by competitive sealed proposals or in the case of design professionals, by qualified based competitive sealed proposals. These procurements require the involvement of the Procurement Officer.

7 REQUESTS FOR BID (RFB)

7.1 OVERVIEW

The Request for Bids (RFB) is used to initiate competitive sealed bid procurement for Goods, and Non-Professional Services, and Construction Services over \$60,000. This type of procurement requires the involvement of the Procurement Officer.

7.2 DEPARTMENT RESPONSIBILITIES

- Determine budget for procurement
- Develop Scope of Work
- Enter Requisition for Purchase Order (PO) for advertisement costs
- Schedule of Advertisement of Legal Notice, Pre-Bid Conference, and Bid Opening
- Specification Development (Submit for Approval of Legal Department and Procurement Office)
- Notice (Submit for approval of Procurement Office)
- Advertisement of Approved Final Draft of Legal Notice
- Evaluate Bid Tabulation to Determine Responsiveness
- Request Approval from County Commission (Add to Commission Agenda)
- Negotiate terms of Contract
- Provide Copies of Bid Tabulation, other documentation involved in the Request for Bids process, and Finalized (signed) Contract to Procurement Office for Procurement File

7.3 PROCUREMENT OFFICER RESPONSIBILITIES

- Review/Approval of Scope of Work, Schedule of Activities, Specifications, and Legal Notice

- Submit Request to post Notice and Schedule of Activities to website
- Assist with Pre-Bid Conference
- Receive questions, request responses, and post responses to website
- Receive and Date/Time stamp Sealed Bids
- Assist with Bid Opening
- Notify Bidders of Award
- Assemble Procurement File
- Request for Proposals (RFP) Process/Requirements

8 REQUESTS FOR PROPOSALS (RFP)

8.1 OVERVIEW

Request for Proposals (RFP) refers to all documents, including those attached or incorporated by reference, used for soliciting sealed proposals.

All Professional Services over \$60,000 and Engineer, Architect, Landscape Architect, or Surveying Professional Services over \$60,000 shall be procured by competitive sealed proposals or in the case of design professionals, by qualification-based competitive sealed proposals.

8.2 DEPARTMENT RESPONSIBILITIES

- Determine need for procurement
- Determine budget for procurement
- Develop Scope of Work
- Enter Requisition for Purchase Order (PO) for advertisement costs
- Schedule of Advertisement of Legal Notice, Pre-Proposal Conference Deadline for Acknowledgment of Receipt Forms, Deadline for Written Questions and Due Date for Proposals
- RFP Development based on template provided by Procurement Office (Submit for Approval by Legal Department and Procurement Office)
- Notice based on approved template (Submit for approval of Procurement Office)
- Advertisement of Approved Final Draft of Legal Notice
- Evaluation/Scoring Factors for Proposals to Determine Responsiveness
- Assemble Evaluation Committee (odd number of committee members, preferably 3 or 5)
- Request Approval from County Commission (Add to Commission Agenda)
- Negotiate terms of Contract
- Provide Copies of Request for Proposal process documentation and Finalized (signed) Contract to Procurement Office for Procurement File

8.3 PROCUREMENT OFFICER RESPONSIBILITIES

- Review/Approval of Scope of Work, Schedule of Activities, RFP, and Legal Notice
- Submit Request to post Notice and Schedule of Activities to website
- Assemble Distribution List of Offerors who have submitted complete Acknowledgment of Receipt Form
- Assist with Pre-Proposal Conference (if applicable)

- Receive questions and other correspondence from offerors, request responses to questions, and post responses to website and email Q&A to Responsive Offerors
- Receive and Date/Time stamp Sealed Proposals
- Assist with Evaluation Committee Meeting to help Determine Committee Recommendation
- Write Evaluation Committee Report and Obtain Committee Member Signatures
- Notify Offerors of Tentative Award/Recommendation for Contract
- After Finalized Contract is Signed, Notify Offerors of Award of Contract
- Assemble Procurement File

9 EXEMPT PROCUREMENTS

9.1 EXEMPTIONS FROM THE PROCUREMENT CODE

The provisions of the Procurement Code shall not apply to:

- Procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in *Sections 13-1-135 through 13-1-137 NMSA 1978*;
- Procurement of tangible personal property or services for the governor's mansion and grounds;
- Printing and duplicating contracts involving materials that are required to be filed in connection with proceedings before administrative agencies or state or federal courts;
- Purchases of publicly provided or publicly regulated gas, electricity, water, sewer and refuse collection services;
- Purchases of books, periodicals and training materials in printed or electronic format from the publishers or copyright holders thereof;
- Travel or shipping by common carrier or by private conveyance or to meals and lodging;
- Purchase of livestock at auction rings or to the procurement of animals to be used for research and experimentation or exhibit;
- Contracts with businesses for public school transportation services;
- Procurement of tangible personal property or services, as defined by *Sections 13-1-87 and 13-1-93 NMSA 1978*, by the corrections industries division of the corrections department pursuant to rules adopted by the corrections industries commission, which shall be reviewed by the purchasing division of the general services department prior to adoption; Minor purchases not exceeding five thousand dollars (\$10,000) consisting of magazine subscriptions, web-based or electronic subscriptions, conference registration fees and other similar purchases where prepayments are required;
- Purchases not exceeding ten thousand dollars (\$ 10,000) consisting of magazine subscriptions, web-based or electronic subscriptions, conference registration fees and other similar purchases where prepayments are required; Contracts entered into by a local public body with a private independent contractor for the

- operation, or provision and operation, of a jail pursuant to Sections 33-3-26 and 33-3-27 NMSA 1978;
- K. municipalities having adopted home rule charters and having enacted their own purchasing ordinances;
 - L. the issuance, sale and delivery of public securities pursuant to the applicable authorizing statute, with the exception of bond attorneys and general financial consultants;
 - M. contracts entered into by a local public body with a private independent contractor for the operation, or provision and operation, of a jail pursuant to Sections 33-3-26 and 33-3-27 NMSA 1978;
 - N. contracts for maintenance of grounds and facilities at highway rest stops and other employment opportunities, excluding those intended for the direct care and support of persons with handicaps, entered into by state agencies with private, nonprofit, independent contractors who provide services to persons with handicaps;
 - O. contracts and expenditures for services or items of tangible personal property to be paid or compensated by money or other property transferred to New Mexico law enforcement agencies by the United States department of justice drug enforcement administration;
 - P. contracts for retirement and other benefits pursuant to Sections 22-11-47 through 22-11-52 NMSA 1978;
 - Q. contracts with professional entertainers;
 - R. contracts and expenditures for legal subscription and research services and litigation expenses in connection with proceedings before administrative agencies or state or federal courts, including experts, mediators, court reporters, process servers and witness fees, but not including attorney contracts;
 - S. contracts for service relating to the design, engineering, financing, construction and acquisition of public improvements undertaken in improvement districts pursuant to Subsection L of Section 3-33-14.1 NMSA 1978 and in county improvement districts pursuant to Subsection L of Section 4-55A-12.1 NMSA 1978;
 - T. works of art for museums or for display in public buildings or places;
 - U. contracts entered into by a local public body with a person, firm, organization, corporation or association or a state educational institution named in Article 12, Section 11 of the constitution of New Mexico for the operation and maintenance of a hospital pursuant to Chapter 3, Article 44 NMSA 1978, lease or operation of a county hospital pursuant to the Hospital Funding Act [4-48B-1 NMSA 1978] or operation and maintenance of a hospital pursuant to the Special Hospital District Act [4-48A-1 NMSA 1978];
 - V. purchases of advertising in all media, including radio, television, print and electronic;
 - W. purchases of promotional goods intended for resale by the tourism department;
 - X. procurement of printing services for materials produced and intended for resale by the cultural affairs department;
 - Y. procurement by or through the public education department from the federal department of education relating to parent training and information

centers designed to increase parent participation, projects and initiatives designed to improve outcomes for students with disabilities and other projects and initiatives relating to the administration of improvement strategy programs pursuant to the federal Individuals with Disabilities Education Act [20 USCS § 1400 et seq.]; provided that the exemption applies only to procurement of services not to exceed two hundred thousand dollars (\$ 200,000);

- Z. procurement of services from community rehabilitation programs or qualified individuals pursuant to the State Use Act [13-1C-1 NMSA 1978];
- AA. Purchases of products or services for eligible persons with disabilities pursuant to the federal Rehabilitation Act of 1973 [29 USCS § 701 et seq.];
- BB. procurement, by either the department of health or Grant county or both, of tangible personal property, services or construction that are exempt from the Procurement Code [13-1-28 NMSA 1978] pursuant to Section 9-7-6.5 NMSA 1978;
- CC. contracts for investment advisory services, investment management services or other investment-related services entered into by the educational retirement board, the state investment officer or the retirement board created pursuant to the Public Employees Retirement Act [10-11-1 NMSA 1978];
- DD. the purchase for resale by the state fair commission of feed and other items necessary for the upkeep of livestock;
- EE. contracts entered into by the crime victims reparation commission to distribute federal grants to assist victims of crime, including grants from the federal Victims of Crime Act of 1984 [42 USCS § 10601 et seq.] and the federal Violence Against Women Act; and
- FF. Procurement by or through the children, youth and families department of pre-kindergarten services purchased pursuant to the Pre-Kindergarten Act [32A-23-1 NMSA 1978].

9.2 §13-1-98.1 NMSA – HOSPITAL AND HEALTHCARE EXEMPTION

The provisions of the Procurement Code [13-1-28 NMSA 1978] shall not apply to procurement of items of tangible personal property or services by a state agency or a local public body through:

- A. an agreement with any other state agency, local public body or external procurement unit or any other person, corporation, organization or association that provides that the parties to the agreement shall join together for the purpose of making some or all purchases necessary for the operation of public hospitals or public and private hospitals, if the state purchasing agent or a central purchasing office makes a determination that the arrangement will or is likely to reduce health care costs; or
- B. an agreement with any other state agency, local public body or external procurement unit or any other person, corporation, organization or association for the purpose of creating a network of health care providers or jointly operating a common health care service, if the state purchasing agent or a central purchasing office makes a determination that the arrangement will or is likely to reduce health care costs, improve quality of care or improve access to care.

9.3 §13-1-98.2 NMSA – ADDITIONAL EXEMPTIONS FROM THE PROCUREMENT CODE

The provisions of the Procurement Code [13-1-28 NMSA 1978] do not apply to contracts entered into by a local public body with a person, firm, organization, corporation, association or state educational institution named in Article 12, Section 11 of the constitution of New Mexico for:

- A. the operation and maintenance of a hospital pursuant to Chapter 3, Article 44 NMSA 1978;
- B. the lease or operation of a county hospital pursuant to the Hospital Funding Act [4-48B-1 NMSA 1978];
- C. the operation and maintenance of a hospital pursuant to the Special Hospital District Act [4-48A-1 NMSA 1978]; or
- D. the use of county buildings pursuant to Section 4-38-13.1 NMSA 1978.

10 SOLE SOURCE PROCUREMENTS

10.1 OVERVIEW

Notwithstanding these Policies & Procedures, the County Commission, pursuant to the authority given them (§13-1-126 NMSA), retains the prerogative to utilize a Sole Source vendor if the situation so warrants. Justification documentation must be provided by Departments for any Sole Source purchase.

10.2 EXAMPLES OF SOLE SOURCE PROCUREMENTS

- Maintenance of proprietary systems
- Proprietary software

10.3 VERIFICATION OF SOLE SOURCE STATUS

A Department may enter into a Sole Source contract when determination is made, “after conducting a good-faith review of available sources and consulting the using agency, that there is **only one** source for the required service, construction or item of tangible personal property.” (§13-1-126 NMSA)

By definition, Sole Source procurements are not encouraged because pricing and terms and conditions are difficult or impossible to negotiate because **no open market exists** to ensure reasonable pricing. Should there be absolutely no alternatives and Sole Source procurement is the **only option**, the County will issue a contract or agreement for a limited term for the vendor to provide the product or service.

10.4 REQUIRED SOLE SOURCE DOCUMENTATION

A Sole Source Request and Determination Form **must** be completed and returned to the Procurement Officer for approval by the Finance Director. Pursuant to NMSA 13-1-128, “Notice of Intent to Award” Sole Source procurements must be posted to the New Mexico General Services/State Purchasing Department website for a period of 30 days prior to award. All Notices will be posted on the Sandoval County Website prior to approval of a Sole Source.

11 EMERGENCY PROCUREMENTS

11.1 OVERVIEW

Notwithstanding these Policies & Procedures, the County Commission, pursuant to the authority given them in Section 13-1-127 NMSA 1978, retains the prerogative to utilize Emergency Procurement if the situation so warrants. Justification documentation must be provided by Departments for any Emergency Procurement and purchases shall be made with competition as is practicable under the circumstances.

11.2 CRITERIA

The Procurement Code states that Emergency Procurements are applicable when:

- A. There exists a threat to public health, welfare or safety such as may arise by reason of floods, fires, epidemics, riots, acts of terrorism, equipment failures or similar events and includes the planning and preparing for an emergency response.
- B. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten the functioning of government, the preservation or protection of property, the health or safety of any person.

11.3 WRITTEN JUSTIFICATION

A written determination of the basis for the emergency procurement and for the selection of the particular contractor or vendor shall be included in the procurement file. (Emergency procurements shall not include the purchase or lease purchase of heavy road equipment.)

An Emergency Determination Form **must** be completed and returned to the Procurement Officer for approval by the Finance Director. Pursuant to NMSA 13-1-128, a "Notice of Intent to Award" ("Notice") an emergency procurement must be posted by the Procurement Officer to the New Mexico General Services/State Purchasing Department website within three (3) days of award. All Notices will be posted on the Sandoval County Website following the approval of an Emergency Procurement.

12 PROCUREMENT UNDER EXISTING CONTRACTS AND "PIGGYBACKING"

12.1 County Price Agreement & Contracts:

The Sandoval County Procurement Office establishes price agreements and contracts with vendors to furnish tangible personal property, services or construction on an as-required basis, for county-wide purposes or for a specific project. Prior to soliciting a vendor for goods or services, departments must first verify that the good or service required is not under a price agreement or contract with the County. If the good or service required is on a price agreement or contract, departments are encouraged to use these price agreements or contracts prior to seeking quotes from alternative vendors. Contact the Procurement Office for more information about existing Price Agreements.

12.2 Piggybacking:

When appropriate, departments may utilize valid contracts of other government entities as permitted by NMSA 13-1-129. This procedure, commonly known as "piggybacking," permits the County to utilize the lowest bid submitted to another government agency for similar goods or services. "Piggybacking" should be used when financially advantageous to the County and is generally most advantageous when the County's needs are limited in number of goods or services sought. In all instances, a signed letter stating that the vendor agrees to extend the terms & condition of the valid contract to Sandoval County along with a copy of the valid contract with the provider & the other government entity must be furnished to Sandoval County and submitted to the Department of Finance for audit purposes.

13 INSURANCE REQUIREMENTS

A. General Conditions:

The Contractor shall submit in evidence of insurance as is required herein. Policies of insurance shall be written by companies authorized to write such insurance in New Mexico.

B. General Liability Insurance, Including Automobile:

The Contractor shall procure and maintain during the life of this Agreement a comprehensive general liability and automobile insurance policy with liability limits in amounts not less than \$1,050,000.00 combined single limits of liability for bodily injury, including death, and property damage for any one occurrence. Said policies of insurance shall include coverage for all operations performed for the county by the Contractor: coverage for the use of all owned, non-owned, hired automobiles, vehicles and other equipment, both on and off work; and contractual liability coverage under which this Agreement is an insured contract. Sandoval County shall be a named additional insured on the policy.

C. Workers' Compensation Insurance:

The Contractor shall comply with the provisions of the Workers' Compensation Act.

D. Increased Limits:

If, during the life of the Agreement, the Legislature of the State of New Mexico increases the maximum limits of liability under the Tort Claims Act (NMSA 1979, Sections 41-4-1 through 41-4-29, as amended), the Contractor shall increase the maximum limits of any insurance required herein within a reasonable period of time after receiving notice of any such changes.

E. Professional Liability [Malpractice/Errors and Omissions Insurance]:

The Contractor shall procure and maintain during the life of this agreement professional liability (errors and omissions) insurance, with policy limits of not less than \$1,000,000.00 per occurrence, \$2,000,000.00 per aggregate.

14 PURCHASE OF VEHICLES: PROCESS

- Department must budget for the purchase of vehicle(s) – Capital Outlay
- Department must fill-out the Vehicle Status Update Form available on the Sandoval County Employee Intranet

- Department must request approval from Public Works/Fleet Maintenance for purchase of vehicle (vehicle must meet Vehicle Policy requirements)
- Procurement Process must be followed based on the estimated price and method of acquisition of the vehicle (Formal Bid Process may be required)
- Department will submit a requisition for a Purchase Order
- Department shall surplus or transfer vehicle being replaced (unless budget has been approved for the purchase of additional vehicles)
- Department will follow through with the purchase of the vehicle(s)
- Vehicles must be inventoried and photographed for Fixed Assets, Vehicle Maintenance Department, and Insurance records

15 DISPOSITION OF PROPERTY

15.1 SALE, DONATION, OR DISPOSAL OF REAL OR TANGIBLE PERSONAL PROPERTY

Prior to disposal, the initiating Department must contact the Finance Department for more information on the State requirements for disposal of the real or tangible personal property. Prior to disposal, the initiating Department must submit a request for approval by the Sandoval County Commission. In addition, a notification must be received by the Office of the State Auditor and the appropriate approval authority **at least thirty days** prior to disposal and deletion.

Providing a written determination has been made, Sandoval County may sell or otherwise dispose of real property:

By negotiated sale or donation to an Indian nation, tribe or pueblo located wholly or partially in New Mexico, or to a governmental unit of an Indian nation, tribe or pueblo in New Mexico, that is authorized to purchase land and control activities on its land by an act of congress or to purchase land on behalf of the Indian nation, tribe or pueblo.

By negotiated sale or donation to other state agencies, local public bodies, school districts or state educational institutions.

By means of competitive sealed bid, public auction or negotiated sale to a private person or to an Indian nation, tribe or pueblo in New Mexico.

According to 13-6-1 (E) NMSA 1978 – Authority to Dispose, any item of tangible personal property belonging to Sandoval County may be disposed of **and** deleted from public inventory if the item is:

- Of a current resale value of five thousand dollars (\$5,000) or less; and
- Worn out, unusable, or obsolete to the extent that the item is no longer economical or safe for continued use by the County

A copy of the official finding and proposed disposition of the property sought to be disposed of shall be made a permanent part of the official minutes of the County Commission and maintained as a public record subject to the Inspection of Public Records Act [14-2-4 NMSA 1978].

The tangible personal property shall be disposed of by a negotiated sale to any governmental unit of an Indian nation, tribe or pueblo in New Mexico or by a negotiated sale or donation to other state agencies, local public bodies, school districts, state educational institutions or municipalities or through the central purchasing office of the governing authority by means of competitive sealed bid or public auction.

If Sandoval County is unable to dispose of the tangible personal property by means of negotiated sale or donation to governmental unit of an Indian nation, tribe or pueblo in New Mexico or to other state agencies, local public bodies, school districts, state educational institutions, or municipalities, the County may sell or, if the property has no value, donate the property to any organization described in Section 501(c)(3) of the Internal Revenue Code of 1986.

If the County is unable to dispose of the tangible personal property through the above mentioned methods, the County may order that the property be destroyed or otherwise permanently disposed of in accordance with applicable laws.

If the County determines that the tangible personal property is hazardous or contains hazardous materials and may not be used safely under any circumstances, the property shall be destroyed and disposed of in accordance with applicable laws.

No tangible personal property shall be donated to an employee or relative of an employee of a state agency, local public body, school district or state educational institution; however, an employee may participate in and bid on public property at a public auction.

15.2 DISPOSITION OF REAL PROPERTY PURCHASED WITH FEDERAL FUNDS

When real property is no longer needed for the originally authorized purpose, the grantee or sub-grantee will request disposition instructions from the awarding agency. The instructions will provide for one of the following alternatives:

- *Retention of title:* Retain title after compensating the awarding agency. The amount paid to the awarding agency will be computed by applying the awarding agency's percentage of participation in the cost of the original purchase to the fair market value of the property. However, in those situations where a grantee or sub-grantee is disposing of real property acquired with grant funds and acquiring replacement real property under the same program, the net proceeds from the disposition may be used as an offset to the cost of the replacement property.
- *Sale of property:* Sell the property and compensate the awarding agency. The amount due to the awarding agency will be calculated by applying the awarding agency's percentage of participation in the cost of the original purchase to the proceeds of the sale after deduction of any actual and reasonable selling and fixing-up expenses. If the grant is still active, the net proceeds from sale may be offset against the original cost of the property.

When a grantee or sub-grantee is directed to sell property, sales procedures shall be followed that provide for competition to the extent practicable and result in the highest possible return.

- *Transfer of title:* Transfer title to the awarding agency or to a third-party designated/approved by the awarding agency. The grantee or sub-grantee shall be paid an amount calculated by applying the grantee or sub-grantee's percentage of participation in the purchase of the real property to the current fair market value of the property.
- If the conditions in 23 U.S.C. 103(e) (5), (6), or (7), as appropriate, are met and approval is given by the Secretary, States shall not be required to repay the Highway Trust Fund for the cost of right-of-way and other items when certain segments of the Interstate System are withdrawn. [53 FR 8086 and 8087, Mar. 11, 1988, as amended at 53 FR 8087, Mar. 11, 1988]

15.3 DISPOSITION OF EQUIPMENT

Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.

Items of equipment with a current per unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

In cases where a grantee or sub-grantee fails to take appropriate disposition actions, the awarding agency may direct the grantee or sub-grantee to take excess and disposition actions.

15.4 DISPOSITION OF SUPPLIES

If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate fair market value upon termination or completion of the award, and if the supplies are not needed for any other federally sponsored programs or projects, the grantee or sub-grantee shall compensate the awarding agency for its share.

16 REGULATIONS GOVERNING TRAVEL, PER DIEM, AND MILEAGE

16.1 PUBLIC OFFICERS AND EMPLOYEES

Public officers and employees of Sandoval County may be reimbursed for mileage accrued in the use of a private conveyance in the discharge of official duties at the statutory rates pursuant to Section 10-8-5(D) NMSA 1978. Travel and per diem expenses may also be reimbursed when applicable. Out of State Travel must be an approved budgeted item, or approved by the County Manager.

16.2 MILEAGE-PRIVATE CONVEYANCE RATE

Public officers and employees of state agencies shall be reimbursed for mileage accrued in the use of a private automobile in the discharge of official duties. Statutory rate for local public bodies is "the internal revenue service standard

mileage rate set January 1 of the previous year for each mile traveled in a privately owned vehicle" according to Section 10-8-4(D) NMSA 1978. Contact the Finance Department for more information.

16.3 PARTIAL DAY PER DIEM RATE

- Occasional and irregular travel which does not require overnight lodging but extends beyond a normal work day:
- Less than 2 hours of travel beyond normal workday: none
- 2 hours, but less than 6 hours beyond the normal work day: \$8.00
- 6 hours, but less than 12 hours beyond the normal work day: \$16.00
- 12 hours or more beyond the normal work day: \$22.50
- "Occasional and irregular travel" means not on a regular basis and infrequent as determined by the agency.
- "Normal work day" means 8 hours within a nine-hour period for all public officers and employees both salaried and non-salaried, regardless of the officers' or employees regular work schedule.

16.4 PRIVATELY-OWNED AUTOMOBILE

For conveyance in the discharge of official duties by privately owned automobile, mileage accrued shall be reimbursed at the rate set forth in this section as follows:

- Pursuant to the mileage chart of the official state map published by the state highway and transportation department for distances in New Mexico and the most recent edition of the Rand-McNally road atlas for distances outside of New Mexico
- Pursuant to actual mileage if the beginning and ending odometer reading is certified as true and correct by the traveler if the destination is not included on the official state map or on the Rand McNally road atlas
- Mileage reimbursements will be calculated on either the distance from the official's home to the destination, or from the designated post of duty to the destination, whichever is less.
- Mileage shall not be paid for the number of miles between post of duty and home.

16.5 REIMBURSEMENT LIMIT FOR OUT OF STATE TRAVEL

Total mileage reimbursement for out of state travel in privately owned automobile shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling had they traveled by common carrier. A Reimbursement Voucher must be completed with conference or training agenda and detailed receipts attached.

16.6 REIMBURSEMENT OF ACTUAL EXPENSES IN LIEU OF PER DIEM RATES

A. APPLICABILITY

Upon written request of a public officer or an employee, written approval may be granted to reimburse actual expenses in lieu of the per diem rate where overnight travel is required.

B. OVERNIGHT TRAVEL

For required overnight travel a public officer or an employee may be reimbursed as follows:

- **Actual Reimbursement for Lodging:** A public officer or an employee may elect to be reimbursed actual expenses for lodging (not exceeding the single occupancy room charge), including tax, in lieu of the per diem rate set forth in this section. Whenever possible, public officers and employees should stay in hotels, which offer government rates.
- **Actual Reimbursement for Meals:** Actual expenses for meals are limited to a maximum of \$30.00 for a 24 hour period in-state or \$45.00 for a 24 hour period out-of-state.
- **Receipts required for hotel and meals:** The public officer or employee must submit **detailed** receipts for the actual lodging and meal receipts expenses incurred. **Under no circumstances will alcoholic beverages be approved for reimbursement.** In circumstances where the loss of receipts would create a hardship, an affidavit from the officer or employee attesting to the expenses may be substituted for actual receipts. The affidavit must accompany the travel voucher and include the signature of the agency head or governing board.
- **Return from Overnight Travel:** On the last day of travel when overnight lodging is no longer required, partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel. Divide the total number of hours travel by 24. The hours remaining constitute the partial day, which shall be reimbursed as follows:
 - Less than 2 hours: none
 - 2 hours, but less than 6 hours: \$8.00
 - 6 hours or more, but less than 12 hours: \$16.00
 - 12 hours or more: \$22.50

No reimbursement for actual expenses will be granted in lieu of partial day per diem rates

16.7 TRAVEL ADVANCES

Upon written authorization, a County Official or employee may travel on official business and may be advanced 100% of allowed per diem rates, plus the cost of airfare or mileage. Or, in lieu of per diem, the cost of lodging and airfare may be advanced with proper documentation indicating actual cost. Actual expenses for meals are limited by Section 10-8-4(K)(2) NMSA 1978 to a maximum of \$30.00 for in-state travel and \$45.00 for out-of-state travel for a 24-hour period.

Per Diem will be reimbursed according to the calendar pay out dates after the submission of a completed Reimbursement Voucher and attached detailed receipts to the Finance Division.

Employees must submit receipts for the actual meal and lodging expenses incurred as well as any airline ticket or itinerary and taxi receipts when applicable. Travel related expenses, including per diem and mileage, shall be paid in accordance with NMSA 1978 Section 10-8-1 to 10-8-8 and DFA Rule 95-1.

16.8 REIMBURSEMENT FOR OTHER EXPENSES

Public officers and employees may be reimbursed for certain actual expenses in addition to per diem rates.

Receipts Required:

- Public officers and employees may be reimbursed for the following expenses provided that receipts for all such expenses are attached to the reimbursement voucher:
- Actual costs for travel by common carrier provided such travel is accomplished in the most economical manner practical. Rental cars or charter aircraft; provided less expensive public transportation is not available or appropriate registration fees for educational programs or conferences, provided, if the fees includes lodging or meals, then no per diem rates shall be paid and only actual expenses paid by the officer or employee and not included in the fee shall be reimbursed within the limits of reimbursement of actual expenses. Professional fees or dues beneficial to the agency's operations or mission.

Receipts Not Required:

- Public officers and employees may be reimbursed without receipts for the following expenses:
- Taxi or other transportation fares at the destination of the traveler gratuities of 15% as allowed by the agency head or designee
- Parking fees in an amount of \$6.00 per day not to exceed a total of \$30.00 per trip. If more than \$6.00 per day or \$30.00 per trip is claimed, receipts must accompany the entire amount of the reimbursement claim.

17 LIST OF ATTACHED FORMS AND APPENDIX

- SOLE SOURCE REQUEST AND DETERMINATION FORM (page 22)
- EMERGENCY PROCUREMENT DETERMINATION FORM (page 24)
- VEHICLE STATUS UPDATE FORM (page 25)
- WRITTEN QUOTE FORM (page 26)

Contact the Procurement Officer for Additional Copies of Forms or Clarification.

- APPENDIX A: PROFESSIONAL SERVICES DETERMINATION GUIDE (page 27)

Contact the Procurement Officer for more information.



STATE OF NEW MEXICO SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the State Purchasing Agent or, for Professional Services Agreements, the Secretary of the Department of Finance and Administration. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

Name of Agency:

Agency Chief Procurement Officer:

Telephone Number:

I. Name of prospective Contractor:

Address of prospective Contractor:

Amount of prospective contract:

Term of prospective contract:

- II. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:
- III. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use "technical jargon;" use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)
- IV. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor *the one source* capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the "best" source or the "least costly" source. Those factors do not justify a "sole source.")

- V. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***
- VI. Explain why other similar professional services, services, construction or item(s) of tangible personal property ***cannot*** meet the intended purpose of the contract.
- VII. Provide a narrative description of the agency's due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent's vendor list. Include a list of businesses contacted (***do not state that no other businesses were contacted***), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

Certified by:

Date: _____

Procurement Officer, Sandoval County

Agency Approval by:

Date: _____

Director of Finance, Sandoval County



**STATE OF NEW MEXICO
EMERGENCY DETERMINATION FORM**

The emergency procurement method (NMSA 1978, Section 13-1-127) may only be used when there exists a threat to public health, welfare, safety or property requiring procurement under emergency conditions. The existence of the emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

1. the functioning of government;
2. the preservation or protection of property; or
3. the health or safety of any person.

Name of Agency: Sandoval County

Agency Chief Procurement Officer: Liz Otten

Telephone Number: (505) 615-2727

VIII. Name of Contractor:

Address of Contractor:

Amount of prospective contract:

Term of prospective contract:

IX. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the contract:

X. Provide an explanation for the justification of the procurement including a description of the practicable competition utilized.

Certified by:

Date: _____

Procurement Officer, Sandoval County

Agency Approval by:

Date: _____

Finance Director, Sandoval County

SANDOVAL COUNTY VEHICLE ACQUISITION / RE-ASSIGNMENT / DISPOSAL FORM

PLEASE CHECK REASON(S) FOR INFORMATION UPDATE:			
A <input type="checkbox"/> NEW PURCHASE		D <input type="checkbox"/> TRANSFER / RE-ASSIGNMENT / SURPLUS (Circle One)	
B <input type="checkbox"/> USED PURCHASE		E <input type="checkbox"/> LEASE	
SIGNATURE:		ELECTED OFFICIAL / DIRECTOR	
		DATE:	
NEW VEHICLES			
AUTHORIZATION TO PURCHASE (FINANCE ONLY):			
Name:		Phone:	
Title:		Date:	
Signature:		Comments:	
If New Vehicle, will this vehicle be replacing another vehicle? <input type="checkbox"/> Yes <input type="checkbox"/> No, Reason:			
VEHICLE MEETS MAINTENANCE REQUIREMENTS <input type="checkbox"/> Yes <input type="checkbox"/> No, Reason:			
Authorized by: (printed)		Signature:	
NEW VEHICLE INFORMATION (Required for the purchase, re-assignment, or disposal of a County vehicle)			
Type of Vehicle:		Color/Unit No:	
Make & Model:		Model Year:	
Vin Number:		Department:	
License Plate:		Purchase Price:	
SURPLUSED / RE-ASSIGNED / REPLACED VEHICLE INFORMATION			
Type of Vehicle:		Color/Unit No:	
Make & Model:		Model Year:	
Vin Number:		Department:	
License Plate:		Purchase Price:	
VEHICLE MEETS MAINTENANCE REQUIREMENTS <input type="checkbox"/> Yes <input type="checkbox"/> No, Reason:			
Authorized by: (printed)		Signature:	
REASONS FOR SURPLUS OR RE-ASSIGNMENT (CHECK ALL THAT APPLY):			
<input type="checkbox"/> EXCESSIVE MILEAGE: (Provide mileage)		<input type="checkbox"/> OBSOLETE	
<input type="checkbox"/> RE-ASSIGN TO: (Department/Division)		<input type="checkbox"/> SURPLUS TO: (Organization)	
<input type="checkbox"/> BEYOND REPAIR		<input type="checkbox"/> OTHER: (Specify)	
COMMENTS: (value at time of disposal)			
DEPARTMENT RELEASING VEHICLE	Date Released to Public Works:		Department Releasing Vehicle:
	Mileage:		Signature of Elected Official or Director:
DEPARTMENT RECEIVING VEHICLE	Date Received:		Department/ Division:
	Mileage:		Take Home (Name) or Pool:
FINANCE USE		Date Received:	Processed by:
RISK MANAGEMENT USE		Date Processed:	Effective Date:
RISK MANAGEMENT USE		Date Received:	Processed by:
RISK MANAGEMENT USE		Date Processed:	Effective Date:

PLEASE COMPLETE AND RETURN TO FINANCE
FINANCE: PLEASE FORWARD TO HUMAN RESOURCES & RISK MANAGEMENT

PRICE QUOTATION FORM



TYPE OF QUOTE ATTACHED

- ☐ Oral /Telephone Quotes
- ☐ Written Quotes
* Documents Attached

DESCRIPTION OF SERVICES TO BE PROCURED:

QUANTITY	DESCRIPTION

NAME OF BIDDER/VENDOR

#1

#2

#3

(A) _____

\$ _____

(B) _____

\$ _____

(C) _____

\$ _____

LOWEST BIDDER: A B C

THE FOLLOWING QUOTATIONS ARE BASED ON THE PURCHASING REGULATIONS/
PROCEDURES OF SANDOVAL COUNTY.

REQUESTOR:

APPROVED:

Elected Official/Designate

Purchasing Agent

Procurement Code [Section 13-1-1 to 13-1-99 NMSA 1978]
Professional Services Determination
Issued by The State Purchasing Division and Contract Review Bureau
April 25, 2007

Professional Services vs. Services [Section 13-1-76 & 87, NMSA 1978]

13-1-76. Definition; Professional Services.

"Professional services" means the services of architects, archeologists, engineers, surveyors, landscape architects, medical arts practitioners, scientists, management and systems analysts, certified public accountants, registered public accountants, lawyers, psychologists, planners, researchers, construction managers and other persons or businesses providing similar professional services, which may be designated as such by a determination issued by the state purchasing agent or a central purchasing office.

13-1-87. Definition; Services

"Services" means the furnishing of labor, time, or effort by a contractor not involving the delivery of a specific end product other than reports and other materials which are merely incidental to the required performance. "Services" includes the furnishing of insurance but does not include construction or the services of employees of a state agency or a local public body.

Notes:

1. The following list of Examples of Professional Services constitutes a determination by the State Purchasing Agent(SPA) that such examples are "professional services" within the meaning of the definition set forth in Section 13-1-76 NMSA 1978. This determination is issued to guide agencies in their procurements and budget preparation.
2. An agency may feel that, because of the case-specific facts, a service listed under "Examples of Services" should, in a particular case, be considered a "Professional Service" or that a service listed under "Examples of Professional Services" should, in a particular case, be considered a "Service". In either event, the agency should, prior to the procurement, seek a fact-specific determination from the SPA concerning the correct classification of the service in the particular case.
3. If an agency intends to procure a service that is not included in either list "Examples of Professional Services" or "Examples of Services", that agency must obtain a determination from the SPA prior to the procurement.

Characteristics of Professional Services	Characteristics of Services
<ul style="list-style-type: none"> • Services are professional or technical in nature and meet more specialized needs. Work is predominantly intellectual and varied. • Work is independent from the day-to-day control of the agency; consultant maintains control of work methods. • Work requires regular exercise of judgment, discretion, and decision-making; involves providing advice, opinions or recommendations; may have policy-implications for agency; often addresses management-level issues. • May require advanced or specialized knowledge, or expertise gained over an extensive period of time in a specialized field of experience. • Work may be original and creative in character in arecognized field of endeavor, the result of which may depend primarily on the individual's invention, imagination or talent. 	<ul style="list-style-type: none"> • Services are more repetitive, routine or mechanical in nature, following established or standardized procedures as contrasted with customary and regular exercise of discretion or independent judgment. • Services contribute to the day-to-day business operations of the agency, rather than the management or policy side of the agency, and may meet more general needs of the agency. • Services generally involving completion of an assigned task, rather than an entire project. • Decision-making and analysis, if required, is more routine or perfunctory in nature.

**Procurement Code [Section 13-1-1 to 13-1-99 NMSA 1978]
Professional Services Determination
Issued by The State Purchasing Division and Contract Review Bureau
April 25, 2007**

Examples of Professional Services	Examples of Services
<ul style="list-style-type: none"> • Accountants* (certified public accountants and registered public accountants) • Actuaries • Analysts of processes, programs, fiscal impact and compliance • Appraisers • Archeologists* • Architects* • Art work, original (services creating the art work) • Audio/video media productions (design, development and/or oversight of) • Auditors • Business process re-engineering • Construction Managers* • Counselors • Curriculum/Examination development • Economists • Engineers* • Financial Advisors • Graphic designers (creative or original in nature) • Insurance Adjusters • Investigators (personnel related, etc.) • Investment advisors and management • Labor negotiators • Landscape Architects* • Lawyers* • Lobbyists • Management and system analysts* • Management consultants • Marketing consultants (including identifying market opportunities, conduct of marketing programs, planning, promotion, market research surveys, etc) • Medical arts practitioners* • Planners* • Policy Advisors • Program/Project Managers • Psychologists* • Public relations advisors/Publicists • Publication development (creation of audio/video productions, brochures, pamphlets, maps, signs, posters, annual reports, etc.) • Researchers* • Scientists* (Bio/Chem/Env/Geo/Hydro/Mech, etc) • Speech writers • Statisticians 	<ul style="list-style-type: none"> • Air/bus, vehicle charter/rental service • Auctioneers • Banking Services (routine, transaction based) • Boiler testing/water treatment service • Bookkeeping service (routine, transaction based) • Building alarm systems, service and repair • Check collection service • Clothing, textile fabrication repair service • Commercial laundry service, dry cleaning, etc. • Communications systems installation, servicing and repair • Conference and trade show coordination • Debt collection service • Delivery/courier service • Document storage, duplication, retrieval, review and destruction service • Drug testing and screening (standard tests) • Engraving service • Environmental monitoring: noise level, safety, hazardous gas detection, radiation monitoring service, etc. (using standardized processes) • Equipment installation, preventive maintenance, inspection, calibration and repair • Equipment rental services • Exams administration and scoring service • Executive recruitment • Firefighting/suppression service • Food preparation, vending and catering services • Grant writing • Health screening, basic diagnostic (wellness, blood pressure monitoring, blood draw, etc.) • Herbicide application service • Household goods packing, storage, transportation service • HVAC system maintenance service • Interpretive services: written/oral/sign language • Inventory service • Janitorial service, carpet cleaning, window washing • Laboratory testing and analysis (standard tests only) • Land clearing/debris removal service • Landscaping--tree planting, grooming service, lawn mowing, etc • Language translation service • Linen rental service • Marine equipment inspection, certification and repair • Medical equipment rental or repair service (wheel

2 of 3

Issued on April 25, 2007

* Specifically identified in the Procurement Code Section 1-13-76 NMSA 1978

**Procurement Code [Section 13-1-1 to 13-1-99 NMSA 1978]
Professional Services Determination
Issued by The State Purchasing Division and Contract Review Bureau
April 25, 2007**

Examples of Professional Services	Examples of Services
<ul style="list-style-type: none"> • Surveyors* • Trade developers • Training – when it is: (a) offered to specific categories or classes of employees; (b) offered to all or most agency employees six times or less in a fiscal year 	<p>chairs, walkers, etc.) Includes measurements, adjustments and modifications to meet patient needs</p> <ul style="list-style-type: none"> • Metal/pipe/wiring detection service • Office furnishings installation, refurbishment and repair service • Package inspection and crating • Painting service • Paper shredding • Parking lot sweeping/snow removal service • Pest/weed control service • Photographic/micrographic processing and delivering, includes aerial and ground photography (if analysis is included, then personal service) • Printing/duplicating service • Process serving • Property management (rent collection, property maintenance, etc.) • Recycling/disposal/litter pickup service • Retreat and workshop planning, conduct, coordination, etc. • Security/armored car services • Shop welding/metal fabrication service • Steam cleaning, high pressure washing, parts cleaning service • Studio photography service (does not include portrait painting) • Telephone interview service (conduct of survey using prescribed survey instrument) • Towing service • Training – when it is offered on a recurring basis (more than six times per fiscal year) to all or most employees. Also includes existing satellite down-link courses and teleconferencing training services • Travel service — air, surface, water • Vehicle inspection, lubricating and repair services • Videotaping and recording service • Warehouse dry/cold storage rental service • Weather information service

* Specifically identified in the Procurement Code Section 1-13-76 NMSA 1978

SUMMARY OF CHANGES FROM CURRENT TO UPDATED/REVISED
GENERAL FINANCIAL MANAGEMENT POLICIES AND PROCEDURES
REGARDING PURCHASING FOR SANDOVAL COUNTY

The General Financial Management Policies and Procedures Regarding Purchasing for Sandoval County (hereinafter referred to as “Policies”) have been updated to provide guidelines for employees regarding budget requirements, purchasing procedures, disposition of property, and regulations governing travel, per diem, and mileage.

The revised Policies include revisions to purchasing threshold limits and procurement requirements in accordance to Legislative amendments to the New Mexico Procurement Code enacted July 1, 2013 including the following:

- **Senate Bill 182**
 - Tighter restrictions and reporting requirements for Sole Source and Emergency Procurements
- **Senate Bill 443**
 - Centralization of Procurement Authority / Requirement to Designate Procurement Officer and Required Training / Certification
 - Small Purchases – threshold amended rose to \$60,000

Updates to the Policies resulting from Senate Bill 443 affect Procurement increasing the following current thresholds to match the amended thresholds:

Invitation to Bid

- Current – Invitation to Bid (ITB) required for all purchases of goods, non-professional services, and construction services over \$10,000
- Amended – Invitation to Bid (ITB) required for all purchases of goods, non-professional services, and construction services over \$60,000

Request for Proposals

- Current – Request for Proposals (RFP) required for all procurement of professional services over \$35,000
- Amended – Request for Proposals (RFP) required for all procurement of professional services over \$60,000

Three (3) written quotes will be required for all purchases \$10,000 up to \$60,000.

The Policies have been revised to give the County Manager signature authority for all purchases and contracts up to \$60,000 from \$35,000.

The revised Policies include a Purchasing Flowchart, a Services and Professional Services Determination guide, and other forms to assist Sandoval County Departments with financial management related activities.

GENERAL FINANCIAL MANAGEMENT POLICIES AND PROCEDURES REGARDING PURCHASING FOR SANDOVAL COUNTY

INTRODUCTION

The purpose of this handbook is to provide background information regarding the Sandoval County purchasing process. Detailed information about what the County buys and how these purchases are made is included. This handbook may be used for training and reference for Sandoval County Employees. The Finance Office may be contacted for up-to-date information related to procurement code regulations, guidelines, and other processes or methodologies of procurement.

Overview

In order to assist County Departments, and the various agencies it serves, in understanding the functions and the responsibilities of the Administrative/Finance Division, we have prepared this Policies and Procedures Manual governing purchasing.

The functions of the Finance Division are:

- To review and monitor all County Department budgets
- Account for and oversee the disbursement of public monies
- Maintain records and prepare reports to assure compliance with State Statutes
- Conform with generally accepted accounting principles

Budgets

The process and preparation of annual budgets begins in early March. The budget development process and review is broken down into five basic stages:

1. Individual departments formulate their requested annual projected needs.
2. Proposed budgets are submitted to the Finance Division for compilation.
3. At a scheduled budget meeting, elected officials and division directors will present budget proposals to the County Manager.
4. At a scheduled Commission meeting, the Commissioners review preliminary budgets.
5. At a scheduled Commission meeting, the Commissioners take final action on the preliminary budget.

Budget decisions and annual appropriations are based on the amount of projected revenues. A cash balance of 3/12ths, after budgeted expenditures in the General Fund, and 1/12th in the Road Fund, are required by the New Mexico State Department of Finance and Administration in order to help maintain reserves for operations from fiscal year to fiscal year.

Budget revisions/modifications must be submitted in writing to the Finance Director. A budget resolution will be drafted and placed on the consent agenda for approval by the County Commissioner's and the State Department of Finance and Administration's authorization, which generally takes two weeks after a regular Commission meeting to

finalize and record. Budget adjustments, General Fund and Inter-Department Fund transfers should be planned in advance. Adjustments will be processed weekly by the Finance Director. Please note under the General Fund; budget adjustments transferring out Salaries and Benefits into Operations will not be approved. Requests to purchase from line items with insufficient funds prior to the authorization of the adjustment will not be approved. Funds not expensed at the end of each fiscal year will revert back to the General Fund as carryover and allocated to cover Capital Outlay demands.

PURCHASING REGULATIONS

The Sandoval County Commission, pursuant to the New Mexico Procurement Code (13-1-28 to 13-1-199 NMSA 1978 As Amended) And Public Works Contracts (Being Sections 13-4-1 To 13-4-42 NMSA 1978 as Amended) hereinafter referred to as the ("State Procurement Code") hereby adopts the following Purchasing Regulations pertaining to small purchases and related matters. Any issue relating to procurement, which is not covered below will follow the State Procurement Code as prescribed by law.

APPLICABILITY

These regulations apply to purchases made by any and all Departments of County Government and any and all organizations, non-profit corporations, and voluntary associations for which Sandoval County serves as fiscal agent (hereinafter collectively referred to as "Department").

PURCHASING PROCEDURES

The process for purchasing begins with the completion of an electronic requisition form by the department responsible for making the purchase. After review and approval by the authorized designees, a requisition is generated for the purchase. The Finance Division may reject requisitions when there are insufficient funds within the specified line item and/or when purchases are requested from non-applicable or inappropriate line items. If purchase is approved, a Purchase Order will be generated indicating approval to proceed with purchase.

The routing process for payment of completed purchases is as follows:

1. Departments will submit original invoices with written authorization to process payment.
2. Finance will compare invoice to the authorized Purchase Order to insure compliance with the procurement policy.
3. Finance retains approved warrant for annual audits.

Purchase Orders (POs) are issued solely by the Finance Division. Departments **shall not** order goods or services from a vendor until the Finance Division approves the procurement and issues a PO number.

BIDS AND ESTIMATES (QUOTES)

All purchases under \$1,000.00 will be made at the best obtainable price and the Department designee requesting the purchase will certify in writing to this effect. Neither written nor oral bids are required for purchases under \$1,000.00.

All purchases between \$1,000.00 and \$2,500.00 will be made at the best obtainable price after having first obtained three oral quotes. The names and addresses of the vendors from whom the quotations were received, the date the quotations were given, and the amount of the quotes will be certified in writing by the Department designee requesting the purchase.

All purchases between \$2,500.00 and \$10,000.00 will be made at the best obtainable price after having obtained three written quotes. The written quotes will be kept on file in the department initiating the purchase, with the requisition form and any other documentation necessary for auditing purposes.

All purchases over \$10,000.00 must be obtained through sealed bid, pursuant to the State Procurement Code.

The low bid will be considered the best obtainable price, unless exceptional circumstances exist. Factors which may be considered in this regard include: (1) time of day of purchase; (2) travel time required to pick up the goods; (3) the willingness of the vendor to deliver to the work place; and (4) the quality of goods and services provided. The department designee requesting the purchase will certify in writing to the specific reasons for not accepting the low bid when applicable.

Procurement requirements shall not be artificially divided so as to circumvent the small purchase regulations.

PROCUREMENT UNDER EXISTING CONTRACTS

When appropriate, departments may utilize valid contracts of other government entities as permitted by NMSA 13-1-129. This procedure, commonly known as "piggybacking," permits the County to utilize the lowest bid submitted to another government agency for similar goods or services. "Piggybacking" should be used when financially advantageous to the County and is generally most advantageous when the County's needs are limited in number of goods or services sought. In all instances, the contract with the provider and the other government entity must be furnished to Sandoval County and submitted to the Department of Finance for audit purposes.

PROCUREMENT OF PROFESSIONAL SERVICES NOT EXCEEDING \$35,000.00

The County may procure professional services, including legal, architectural, engineering and auditing, by calling at least three firms to obtain verbal, telephone or written offers. All proposals over \$35,000.00 shall be procured by competitive sealed proposals or in the case of design professionals, by qualified based competitive sealed proposals. The County through the County Manager shall select the best offer and direct the Department Head procuring services for under \$35,000.00 to negotiate a contract with the selected business. The negotiated contract shall then be approved as to legal form by the County Attorney, then submitted to the County Manager for approval.

All quotes and information on bids must be recorded and certified by the Department Head procuring services and placed in the procurement file for audit purposes.

SOLE SOURCE/EMERGENCY PROCUREMENT

Notwithstanding this regulation, the County Commission, pursuant to the authority given them in State Statute 13-1-127, retains the prerogative to utilize "Sole Source" or "Emergency Procurement" if the situation so warrants.

PURCHASES OVER \$35,000.00

Purchases of \$35,000.00 or more must be by sealed bid or sealed competitive proposal and conducted pursuant to the State Procurement Code. In the event that a Department has sought written bids for a purchase between \$20,000.00 and \$35,000.00, and two of the three bids were more than \$35,000.00, the purchase will be made pursuant to competitive bids and will be published in a newspaper of general circulation in accordance with the Procurement Code.

BUDGETED PURCHASES

Purchases or services which are identified in the annual budget approved by the County Commission do not require further Commission authorization prior to advertising or obtaining offers for service.

PUBLIC WORKS CONTRACTS

Change orders on public works contracts which do not exceed the budgeted amount, including contingencies, may be approved by the County Manager or designee.

ISSUANCE OF WARRANTS

No warrant (check) will be issued without the approval of the Board of County Commissioners, excluding payroll, payroll taxes, extradition, postage or special issuance, which will require approval by the County Manager and Commission Chairman.

SCHEDULE FOR SUBMITTING INVOICE FOR PAYMENT

Schedule for submitting invoices for payment will be Wednesday 12:00 PM the week prior to a regular scheduled Commission Meeting date.

REGULATIONS GOVERNING TRAVEL, PER DIEM AND MILEAGE

- (1) privately owned airplane, eighty-eight cents (\$0.88) per nautical mile.
- B. *Local public bodies.* Public officers and employees of local public bodies may be reimbursed for mileage accrued in the use of a private conveyance in the discharge of official duties at the statutory rates unless such rates have been reduced by the governing bodies of the local public body pursuant to Subsection D of Section 10-8-5 NMSA 1978.
- C. *Privately owned automobile.* For conveyance in the discharge of official duties by privately owned automobile, mileage accrued shall be reimbursed at the rate set forth in this section as follows:
 - (1). pursuant to the mileage chart of the official state map published by the state highway and transportation department for distances in New Mexico and the most recent edition of the Rand-McNally road atlas for distances outside of New Mexico; or
 - (2). Pursuant to actual mileage if the beginning and ending odometer reading is certified as true and correct by the traveler; and
 - (a) the destination is not included on the official state map or on the Rand McNally road atlas

PER DIEM RATE COMPUTATION:

1. Partial Day Per Diem Rate. For occasional and irregular travel, which does not require overnight lodging, but extends beyond a normal work day:
 - a. for less than 2 hours of travel beyond normal workday, none;
 - b. for 2 hours, but less than 6 hours beyond the normal work day, \$8.00;
 - c. for 6 hours, but less than 12 hours beyond the normal work day, \$16.00;

- d. for 12 hours or more beyond the normal work day, \$22.50;

“Occasional and irregular travel” means not on a regular basis and infrequent as determined by the agency.

“Normal work day” means 8 hours within a nine-hour period for all public officers and employees both salaried and nonsalaried, regardless of the officers’ or employees regular work schedule.

2. Overnight Travel. Regardless of the number of hours traveled, travel for public officers and employees where overnight lodging is required shall be reimbursed as follows:

- a. in state areas \$ 85.00
- b. in state special rate \$135.00
- c. out of state areas \$115.00
- d. out of state special rate \$215.00

or actual lodging and meal expenses (refer to Actual in lieu of per diem rates).

3. Return from Overnight Travel. On the last day of travel when overnight lodging is no longer required, partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed. Divide the number of hours traveled by 24. The hours remaining constitute the partial day, which shall be reimbursed as follows:

- a. for less than 2 hours, none;
- b. for 2 hours, but less than 6 hours, \$8.00;
- c. for 6 hours or more, but less than 12 hours, \$16.00;
- d. for 12 hours or more, \$22.50.

REIMBURSEMENT OF ACTUAL EXPENSES IN LIEU OF PER DIEM RATES:

A. Applicability. Upon written request of a public officer or an employee, written approval may be granted to reimburse actual expenses in lieu of the per diem rate where overnight travel is required.

B. Overnight Travel. For required overnight travel a public officer or an employee may be reimbursed as follows:

- 1. Actual Reimbursement for Lodging. A public officer or an employee may elect to be reimbursed actual expenses for lodging not exceeding the single occupancy room charge (including tax) in lieu of the per diem

rate set forth in this section. Whenever possible, public officers and employees should stay in hotels, which offer government rates.

2. Actual Reimbursement for Meals. Actual expenses for meals are limited to a maximum of *\$30.00 for a 24 hour period in state or \$45.00 for a 24 hour period out-of-state.*
 3. Receipts Required for hotel and meals. The public officer or employee must submit receipts for the actual lodging and meal receipts expenses incurred. Under circumstances where the loss of receipts would create a hardship, an affidavit from the officer or employee attesting to the expenses may be substituted for actual receipts. The affidavit must accompany the travel voucher and include the signature of the agency head or governing board.
- C. Return from Overnight Travel. On the last day of travel when overnight lodging is no longer required, partial day reimbursement shall be made. To calculate the number of hours in the partial day, begin with the time the traveler initially departed on the travel. Divide the total number of hours travel by 24. The hours remaining constitute the partial day, which shall be reimbursed as follows:
1. for less than 2 hours, none;
 2. for 2 hours, but less than 6 hours, \$8.00;
 3. for 6 hours or more, but less than 12 hours, \$16.00;
 4. for 12 hours or more, \$22.50.
 5. No reimbursement for actual expenses will be granted in lieu of partial day per diem rates

TRAVEL ADVANCES

Upon written authorization, a County Official or employee may travel on official business and may be advanced 100% of allowed per diem rates, plus the cost of airfare or mileage. Or, in lieu of per diem, the cost of lodging and airfare may be advanced with proper documentation indicating actual cost. Actual expenses for meals are limited by Section 10-8-4(K)(2) NMSA 1978 (1995 Repl. Pamph.) to a maximum of \$30.00 for in-state travel and \$45.00 for out-of-state travel for a 24-hour period. Expenditures for meals will be reimbursed upon the submission of receipts to the Finance Division according to the calendar pay out dates. Pursuant to Sandoval County Budget Resolution 9-4-03.4A, employees must submit receipts for the actual meal and lodging expenses incurred as well as any airline ticket or itinerary and taxi receipts when applicable. Travel

related expenses, including per diem and mileage, shall be paid in accordance with NMSA 1978 Section 10-8-1 to 10-8-8 and DFA Rule 95-1.

Travel Period. A travel advance may be authorized either for a single trip or on a monthly basis for public officers and employees who travel continually throughout the month. Payment shall be made only upon vouchers submitted with attached authorizations for each travel period.

1. Single Trip Advances. Where a travel advance is made for a single trip, the officer or employee shall remit, within 5 working days of the return from the trip, a refund of any excess advance payment.
2. Monthly Advances. Where monthly advances are made, employees shall remit, at the end of each month, any excess advance payments together with a thorough accounting of all travel advances and expenditures. When a travel advance is approved for the next month, the use of the excess advance payments from the previous month may be used in lieu of having the employee remit the excess funds.

ALLOWABLE IN-STATE VEHICLE TRAVEL TIME

When traveling by vehicle, employees will be allowed travel time (distance miles ÷ 55) plus 2 hours registration allowance (includes check-in, mealtime if necessary, assessment of event location, etc).

Travel that requires an employee to depart prior to 8 am will qualify for prior day departure.

REIMBURSEMENT FOR OTHER EXPENSES

Public officers and employees may be reimbursed for certain actual expenses in addition to per diem rates.

1. Receipts Not Required. Public officers and employees may be reimbursed without receipts for the following expenses:
 - a. taxi or other transportation fares at the destination of the traveler;
 - b. gratuities as allowed by the agency head or designee; and
 - c. parking fees

In an amount of \$6.00 per day not to exceed a total of \$30.00 per trip. If more than \$6.00 per day or \$30.00 per trip is claimed, receipts must accompany the entire amount of the reimbursement claim.

2. Receipts Required. Public officers and employees may be reimbursed for the following expenses provided that receipts for all such expenses are attached to the reimbursement voucher:

- b. actual costs for travel by common carrier, provided such travel is accomplished in the most economical manner practical;
 - c. rental cars or charter aircraft, provided less expensive public transportation is not available or appropriate;
 - d. registration fees for educational programs or conferences, provided, if the fees includes lodging or meals, then no per diem rates shall be paid and only actual expenses paid by the officer or employee and not included in the fee shall be reimbursed within the limits of reimbursement of actual expenses.
 - e. Professional fees or dues that are beneficial to the agency's operations or mission.
3. Local Public Bodies. Local public bodies may adopt regulations governing the reimbursement of actual expenses incurred in addition to per diem rates and mileage.

MILEAGE-PRIVATE CONVEYANCE

Rate. Public officers and employees of state agencies shall be reimbursed for mileage accrued in the use of a private automobile or aircraft in the discharge of official duties as follows:

- 1. privately owned automobiles, 55 cents per mile.
- 2. privately owned airplane, 88 cents per nautical mile.

Local Public Bodies. Public officers and employees of local public bodies may be reimbursed for mileage accrued in the use of a private conveyance in the discharge of official duties at the statutory rates unless such rates have been reduced by the governing bodies of the local public body pursuant to NMSA 1978, Section 10-8-5(d).

Privately Owned Automobile. For Conveyance in the discharge of official duties by privately owned automobile, mileage accrued shall be reimbursed at the rate set as follows:

- 1. pursuant to the mileage chart of the official state map published the State Highway and Transportation Department for distances in New Mexico and the most recent edition of the Rand-McNally road atlas for distances outside of New Mexico; or
- 2. pursuant to actual mileage if the beginning and ending odometer reading is certified as true and correct by the traveler; and

- a. the destination is not included on the official state map or on the Rand-McNally road atlas, or,
- b. at the destination(s) of the public officer or employee, the public officer or employee was required to use the private conveyance in performance of official duties.

Reimbursement Limit for Out of State Travel. Out of State Travel must be an approved budgeted item, or approved by the County Manager. Total mileage reimbursement for out of state travel in privately owned automobile shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling had they traveled by common carrier

Additional Mileage Provision. Mileage accrued while on official business shall be reimbursed for travel on official business. An agency head or designee may authorize by memorandum reimbursement for mileage from a point of origin farther from the destination than the designated pose of duty in appropriate circumstances.

- a. at the destination of the public officer or employee, the public officer or employee was required to use the private conveyance in performance of official duties.

**Privately owned airplane.* Mileage accrued in the use of a privately owned airplane shall be reimbursed at the rate set forth in this section as follows:

- (1) pursuant to the New Mexico aeronautical chart published by the state highway and transportation department, aviation division, for distance in New Mexico and other states' air maps for distances outside of New Mexico; or
- (2) pursuant to actual air mileage if certification is provided by the pilot, or a beginning and ending reading of actual mileage if the reading is certified as true and correct by the traveler, and the destination is not included on an air map.

**Reimbursement limit for out of state travel.* Total mileage reimbursement for out of state travel by privately owned automobile or privately owned airplane shall not exceed the total coach class commercial airfare that would have been reimbursed those traveling ad they traveled by common carrier. This subsection shall not apply to a public school when transporting students.

**Additional mileage provision.* Mileage accrued while on official business shall be reimbursed for travel on official business. An agency head or designee may authorize by memorandum reimbursement for mileage form a point of origin farther from the destination than the designated post of duty in appropriate circumstances. The memorandum must accompany the payment voucher. If official business is transacted while commuting from home to post of duty or from post of duty to home, mileage shall not be paid for the number of miles between post of duty and home. Odometer reading showing additional miles accrued for official business must be provided to the agency for payment.